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**IN THE UNITED STATES DISTRICT COURT,
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

JASON RASMUSSEN et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

vs.

UINTAH BASIN HEALTHCARE, a Utah non-
profit corporation,

Defendant.

**DEFENDANT UINTAH BASIN
HEALTHCARE’S UNOPPOSED MOTION
FOR LEAVE TO FILE OVERLENGTH
REPLY**

Case No. 2:23-cv-00322-HCN-DBP

District Judge Howard C. Nielson, Jr.
Chief Magistrate Judge Dustin B. Pead

Defendant Uintah Basin Healthcare (“UBH”) seeks leave to file an overlength reply brief, of up to four (4) additional pages, in support of its Motion to Dismiss Plaintiffs’ Complaint under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), or in the alternative Summary Judgment Under Rule 56 (Dkt. 31). The reply brief is due on January 16, 2024. Plaintiffs do not oppose UBH’s request for an additional four pages.

Replies in support of a motions for summary judgment are limited to 20 pages. DUCivR 7-1(a)(4)(B)(ii). Here, there is good cause to permit UBH leave to file a reply of up to four additional pages, not to exceed 24 pages. This is a complex motion, whereby UBH seeks judgment on a purported class action complaint, brought by six named individuals. UBH seeks to dismiss the Complaint under Rule 12(b)(1) through both a facial and factual attack, and partial dismissal under Rule 12(b)(6) for failure to state a claim. UBH also seeks summary judgment on the Complaint based on Utah's Cybersecurity Affirmative Defense Act. In opposition to the Motion, Plaintiffs raised many arguments and cited a multitude of cases. UBH needs these additional pages to fully respond to, and distinguish, Plaintiffs' arguments and cases, in support of its motion.

Accordingly, UBH respectfully requests leave to file an overlength Reply in support of its Motion to Dismiss and in the Alternative Motion for Summary Judgment, not to exceed 24 pages in length. In accordance with the Local Civil Rules, UBH will include a table of contents in the Reply.

DATED this 12th day of January, 2024.

HOLLAND & HART LLP

/s/ Emily T. Howe

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